

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:

DEWAYNE K. LONG

SSN: ####-##-2479

) BK. NO. 09-82347-TJM  
)  
) CHAPTER 13  
)  
)  
)

Debtor.

**TRUSTEE'S OBJECTION TO CLAIM OF WELLS FARGO BANK, NA - COURT CLAIM #26**

**COMES NOW, Kathleen A. Laughlin**, Chapter 13 Trustee, and objects to the claim filed by **WELLS FARGO BANK, NA** for the following reasons:

Pursuant to Federal Rule of Bankruptcy Procedure 3002(c) a proof of claim in a Chapter 13 Bankruptcy proceeding must be filed "not later than 90 days after the first date set for the meeting of creditors". Thus, proofs of claim were required to be filed in this case on or before **1/11/10**. **WELLS FARGO BANK, NA** did not file a proof of claim until **2/2/10** and therefore, the claim is untimely filed.

**WHEREFORE**, the Chapter 13 Trustee prays that her objection to the claim of **WELLS FARGO BANK, NA** be granted and the claim disallowed.

DATED: February 4, 2010

s/ Kathleen A. Laughlin  
Kathleen A. Laughlin #16883  
Chapter 13 Trustee  
13930 Gold Circle, Suite #201  
Omaha, NE 68144  
(402) 697-0437  
1-800-884-0437

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the Trustee's Objection was served on PATRICIA A GERINGER, debtor attorney via the CM/ECF system of the United States Bankruptcy Court and a copy was mailed on February 4, 2010, by first-class, U.S. mail, postage prepaid to the Debtor and the Creditor at the address listed below:

DEWAYNE K. LONG  
P O BOX 3  
ASHLAND, NE 68003

WELLS FARGO BANK, NA  
MAC S4101-08C  
100 W WASHINGTON ST  
PHOENIX, AZ 85003

s/ Kathleen A. Laughlin  
Kathleen A. Laughlin

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**NOTICE SETTING RESISTANCE DEADLINE**

PURSUANT TO Neb. R. Bankr. P. 9013-1, you are notified as follows:

1. KATHLEEN A. LAUGHLIN, Chapter 13 Trustee, has filed a Trustee's Objection to claim of **WELLS FARGO BANK, NA**.
2. The last day to file a resistance to the proof of claim of **WELLS FARGO BANK, NA** is **February 25, 2010**. The Resistance must be served on the Trustee and the Debtor or Debtor's Attorney.
3. If the resistance period expires without the filing of any resistance, the Court will consider entering an order granting the relief sought without further notice or hearing.

DATED: February 4, 2010

s/ Kathleen A. Laughlin  
Kathleen A. Laughlin #16883  
Chapter 13 Trustee  
13930 Gold Circle, Suite #201  
Omaha, NE 68144  
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s/ Kathleen A. Laughlin  
Kathleen A. Laughlin